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12

13 UNITED STATES DISTRICT COURT  
14 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
15 WESTERN DIVISION

16 UNITED STATES OF AMERICA,	)	NO. SA CV 09-01379-DOC (ANx)
	)	
17 Plaintiff,	)	CONSENT JUDGMENT
	)	
18 v.	)	
	)	
19 \$999,790.00 IN U.S. CURRENCY,	)	
	)	
20 Defendant.	)	
	)	

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23 In this action, plaintiff United States of America (the  
24 "government") alleges that the defendant \$999,790.00 in U.S.  
25 Currency (the "defendant currency") is subject to forfeiture  
26 pursuant to 21 U.S.C. § 881(a)(6) on the ground that it constitutes  
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1 proceeds traceable to one or more exchanges for a controlled  
2 substance or listed chemical in violation of 21 U.S.C. § 841 *et seq.*  
3 Claimant George Rivas ("claimant") disputes the government's  
4 allegations.

5 The parties have agreed to settle this forfeiture action and to  
6 avoid further litigation by entering into this consent judgment.

7 The Court, having been duly advised of and having considered  
8 the matter, and based upon the mutual consent of the parties,  
9 HEREBY ORDERS, ADJUDGES, AND DECREES:

10 1. This Court has jurisdiction over this action pursuant  
11 to 28 U.S.C. §§ 1345 and 1355.

12 2. The Complaint states claims for relief pursuant to 21  
13 U.S.C. § 881(a)(6).

14 3. Notice of this action has been given as required by  
15 law. No appearance has been made in this action by any person other  
16 than claimant, and the time to file a claim and an answer has  
17 expired. The Court deems that all potential claimants other than  
18 claimant George Rivas admit the allegations of the Complaint to be  
19 true, and hereby enters default against all such potential  
20 claimants.

21 4. \$979,790 of the defendant currency and any interest  
22 accrued thereon shall be forfeited to the United States of America,  
23 which shall disposed of the same according to law.

24 5. The remaining \$20,000 and any interest accrued thereon  
25 shall be returned to claimant within 6 weeks of the entry of this  
26 Consent Judgment.

1           6.     Claimant hereby releases the United States of America,  
2 the State of California, all counties, municipalities and cities  
3 within the State of California, and their agencies, departments,  
4 offices, agents, employees and officers, including, but not limited  
5 to, the United States Attorney's Office, the Drug Enforcement  
6 Administration, and their employees and agents, from any and all,  
7 known or unknown, claims, causes of action, rights, and liabilities,  
8 including, without limitation, any claim for attorney's fees, costs,  
9 or interest which may be now or later asserted by or on behalf of  
10 the claimant, arising out of or related to this action, or the  
11 seizure or possession of the defendant currency. Claimant  
12 represents and agrees that he has not assigned and is the rightful  
13 owner of such claims, causes of action and rights.

14           7.     Claimant also agrees to hold harmless and indemnify the  
15 United States, the United States Attorney's Office and the Drug  
16 Enforcement Administration and their employees from all claims by  
17 any third parties to the \$20,000 and any interest accrued thereon  
18 being returned to claimant.

19           8.     The Court finds that there was reasonable cause for the  
20 seizure of the defendant currency and institution of these  
21 proceedings. This judgment shall be construed as a certificate of  
22 reasonable cause pursuant to 28 U.S.C. § 2465.

23     /   /   /  
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1           9. The parties shall each bear their own attorney's fees and  
2 other costs and expenses of litigation.

3  
4  
5 DATED: May 7, 2010



Hon. DAVID O. CARTER  
UNITED STATES DISTRICT JUDGE

7  
8 CONSENT

9           The parties consent to judgment and waive any right of appeal.

10 DATED: \_\_\_\_\_, 2010

ANDRÉ BIROTTE JR.  
United States Attorney

11 CHRISTINE C. EWELL  
12 Assistant United States Attorney  
Chief, Criminal Division

13 STEVEN R. WELK  
14 Assistant United States Attorney  
Chief, Asset Forfeiture Section

15  
16 /s/  
PIO S. KIM  
Assistant United States Attorney

17  
18 Attorneys for Plaintiff  
United States of America

19  
20 DATED: \_\_\_\_\_, 2010

/s/  
PAUL GABBERT  
Attorney for Claimant  
George Rivas